

REVIEW FOR APPLICABILITY OF/COMPLIANCE WITH ORDINANCES/POLICIES

FOR PURPOSES OF CONSIDERATION OF
Dimitri, Diffendale and Kirk Minor Subdivision,
3200 21075 (TPM); 3910 11-02-007 (ER)

April 26, 2012

I. HABITAT LOSS PERMIT ORDINANCE – Does the proposed project conform to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings?

YES
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NO
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NOT APPLICABLE/EXEMPT
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Discussion:

While the proposed project and off-site improvements are located outside of the boundaries of the Multiple Species Conservation Program, the project site and locations of any off-site improvements do not contain habitats subject to the Habitat Loss Permit/Coastal Sage Scrub Ordinance. Therefore, conformance to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings is not required.

II. MSCP/BMO - Does the proposed project conform to the Multiple Species Conservation Program and Biological Mitigation Ordinance?

YES
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NO
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NOT APPLICABLE/EXEMPT
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Discussion:

The proposed project and any off-site improvements related to the proposed project are located outside of the boundaries of the Multiple Species Conservation Program. Therefore, conformance with the Multiple Species Conservation Program and the Biological Mitigation Ordinance is not required.

III. GROUNDWATER ORDINANCE - Does the project comply with the requirements of the San Diego County Groundwater Ordinance?

YES
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NO
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NOT APPLICABLE/EXEMPT
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Discussion:

The project will obtain its water supply from the Rainbow Municipal Water District which obtains water from surface reservoirs and/or imported sources. The project will not use any groundwater for any purpose, including irrigation or domestic supply.

IV. RESOURCE PROTECTION ORDINANCE - **Does the project comply with:**

The wetland and wetland buffer regulations (Sections 86.604(a) and (b)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Floodways and Floodplain Fringe section (Sections 86.604(c) and (d)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Steep Slope section (Section 86.604(e))?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Sensitive Habitat Lands section (Section 86.604(f)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Significant Prehistoric and Historic Sites section (Section 86.604(g)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>

Discussion:

Wetland and Wetland Buffers:

The site contains no wetland habitats as defined by the San Diego County Resource Protection Ordinance. The site does not have a substratum of predominately undrained hydric soils, the land does not support, even periodically, hydric plants, nor does the site have a substratum that is non-soil and is saturated with water or covered by water at some time during the growing season of each year. Therefore, it has been found that the proposed project complies with Sections 86.604(a) and (b) of the Resource Protection Ordinance.

Floodways and Floodplain Fringe:

The project is not located near any floodway or floodplain fringe area as defined in the resource protection ordinance, nor is it near a watercourse plotted on any official County floodway or floodplain map. Therefore, it has been found that the proposed project complies with Sections 86.604(c) and (d) of the Resource Protection Ordinance.

Steep Slopes:

Slopes with a gradient of 25 percent or greater and 50 feet or higher in vertical height are required to be placed in open space easements by the San Diego County Resource Protection Ordinance (RPO). There are steep slopes on the property and an open space easement is proposed over the 0.34 acres of steep slope lands. Therefore, it has been found that the proposed project complies with Sections 86.604(e) of the RPO.

Sensitive Habitats:

Sensitive habitat lands include unique vegetation communities and/or habitat that is either necessary to support a viable population of sensitive species, is critical to the proper functioning of a balanced natural ecosystem, or which serves as a functioning

wildlife corridor. No sensitive habitat lands have been identified on the site. Therefore, it has been found that the proposed project complies with Section 86.604(f) of the RPO.

Significant Prehistoric and Historic Sites:

Based on an analysis of County of San Diego archaeology resource files, archaeological records, maps, and aerial photographs and a survey of the project site by County of San Diego staff archaeologists, Gail Wright and Diane Buell on March 23, 2011, it has been determined that the project site does not contain any historical or archaeological resources. In addition, the project must comply with the San Diego County Grading, Clearing, and Watercourse Ordinance (§87.101-87.804), CEQA §15064.5(d), and §7050.5 of the Health & Safety Code. Section 87.429 of the Grading, Clearance, and Watercourse Ordinance requires the suspension of grading operations when human remains or Native American artifacts are encountered.

V. STORMWATER ORDINANCE (WPO) - Does the project comply with the County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance (WPO)?

YES
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NO
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NOT APPLICABLE
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Discussion:

The project is in compliance with the WPO. The Storm Water Management Plan (SWMP) provided for this project is completed and in compliance with the WPO.

VI. NOISE ORDINANCE – Does the project comply with the County of San Diego Noise Element of the General Plan and the County of San Diego Noise Ordinance?

YES
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NO
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NOT APPLICABLE
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Discussion:

The proposal would not expose people to nor generate potentially significant noise levels which exceed the allowable limits of the County of San Diego Noise Element of the General Plan, County of San Diego Noise Ordinance, and other applicable local, State, and Federal noise control regulations.

The project subdivision is for residential use which is considered a noise sensitive land use (NSLU). Pursuant to the County Noise Element, Policy 4b, proposed and existing NSLU would be subject to an exterior sound level requirement of 60 dBA CNEL. Based on in-house GIS maps, the project is located approximately 1,576 feet north from Pala Road/SR-76 which is considered the nearest County Circulation Element roadway. Based on the County General Plan Update 2030 Volume Plot map, future traffic for this roadway segment would be 34,500 ADT. Due to attenuation by distance and the adequate separation from this roadway to the site, the project would be exposed to

future traffic noise levels below the exterior 60 dBA CNEL requirement. The project traffic contributions to existing nearby roadways would be approximately 48 ADT (plus 12 ADT per proposed parcel). This traffic contribution is considered a minimal increase and the project does not introduce any direct or cumulative noise impacts to off-site sensitive receptors. The project as design currently demonstrates consistency with the County Noise Element, Policy 4b.

The project subdivision is also subject to sound levels associated with temporary construction equipment operations. Pursuant to the County Noise Ordinance, Section 36.409, the operations of construction equipment shall not exceed an eight hour average sound level limit of 75 dBA at the project property line where an existing occupied structure is located. Aerial photos show that an existing single family residence is located adjacent to the north of the project site. Typical construction equipment used for grading and preparing the site would involve a dozer, loader, back hoe and water truck. Two pieces of heavy equipment operating simultaneously would generate an estimated sound pressure level of 83 dBA at 50 feet. The centroid of the proposed pads is considered a representative noise source location associated with pad grading operations. Based on in-house noise calculations, the centroid of the pad on Parcel 1 (worst-case) is located approximately 140 feet from the northern property line. Utilizing a 100 % duty cycle (worst-case) for construction equipment operations at this distance, the construction noise levels would be 74 dBA at the northern property line. This is below the 75 dBA requirement. In addition, the project does not propose an impulsive type of operations such as drilling, materials processing on site, rock crushing, etc. Therefore, the project subdivision is consistent with the County Noise Element and County Noise Ordinance. No additional noise information is required at this time and no noise mitigation is required.